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BEFORE THE ARIZONA CORPORATION COMMISSION

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MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

ARIZONA CORPORATION COMMISSION
DOCUMENT CONTROL

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
NAVIGATOR TELECOMMUNICATIONS, LLC
FOR A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE RESOLD LOCAL
EXCHANGE, FACILITIES-BASED LOCAL
EXCHANGE, AND ACCESS
TELECOMMUNICATIONS SERVICES IN THE
STATE OF ARIZONA.

DOCKET NO. T-20398A-06-0346

PROCEDURAL ORDER

BY THE COMMISSION:

On May 25, 2006, Navigator Telecommunications, LLC ("Navigator" or "Applicant") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate" or "CC&N") to provide resold local exchange, facilities-based local exchange and access telecommunications services within the State of Arizona. The Applicant also requested that its services be classified as competitive.

On June 19, 2006, the Commission's Utilities Division Staff ("Staff") filed a Letter of Insufficiency stating that the Applicant's application had not met the sufficiency requirements as outlined in the Arizona Administrative Code. ("A.A.C").

From November 7, 2006, to February 6, 2007, Navigator filed amendments to its application.

On March 28, 2007, Staff filed its Staff Report recommending approval of Navigator's application subject to certain conditions.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the **hearing** on the above application and petition of Applicant shall commence on **May 30, 2007 at 1:30 p.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that Applicant shall publish notice of its filing and the hearing, as stated below, in a newspaper(s) of general circulation in every county in Arizona in which Applicant desires to provide service by **April 30, 2007**, and shall file Affidavits of Publication with the Commission no later than **May 14, 2007**.

**IN THE MATTER OF THE APPLICATION OF NAVIGATOR
TELECOMMUNICATIONS, LLC FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE RESOLD
LOCAL EXCHANGE, FACILITIES-BASED LOCAL
EXCHANGE, AND ACCESS TELECOMMUNICATIONS
SERVICES IN ARIZONA.**
Docket No. T-20398A-06-0346

On May 26, 2006, Navigator Telecommunications, LLC ("Company") filed an application with the Arizona Corporation Commission ("Commission") for a Certificate of Convenience and Necessity ("Certificate") to provide resold local exchange, facilities-based local exchange and access telecommunications services in the State of Arizona. The Commission's Utilities Division Staff has recommended approval of the Company's application. The Commission is not bound by the proposals made by the Company, Staff, or any intervenors, and the Company will be required to provide this service under the rates and charges and terms and conditions established by the Commission. Copies of the application, report of the Commission's Utilities Division Staff, and any written exceptions to the report of the Commission's Utilities Division Staff filed by the Company are available at the Company's offices [insert address] and on the internet via the Commission website (www.azcc.gov) using the e-docket function.

The Commission will hold a hearing on this matter beginning **May 30, 2007, at 1:30 p.m.**, at the Commission's offices, 1200 West Washington, Phoenix, Arizona. Public comments will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission no later than **May 14, 2007**. The motion to intervene must be sent to the Company or its counsel and to all parties of record, and must contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different from the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Company, a shareholder of the Company, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

1 The granting of intervention, among other things, entitles a party to present sworn
2 evidence at the hearing and to cross-examine other witnesses. However, failure to
3 intervene will not preclude any interested person or entity from appearing at the
4 hearing and providing public comment on the application or from filing written
5 comments in the record of the case. You will not receive any further notice of this
6 proceeding unless you request it.

7 If you have any questions about this application, you may contact the Company at
8 **[insert telephone number]**. If you wish to file written comments on the application
9 or want further information on intervention you may contact the Consumer Services
10 Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007,
11 or call 1-800-222-7000.

12 The Commission does not discriminate on the basis of disability in admission to its
13 public meetings. Persons with a disability may request a reasonable accommodation
14 such as a sign language interpreter, as well as request this document in an alternative
15 format, by contacting the ADA Coordinator, Linda Hogan, at LHogan@azcc.gov,
16 voice phone number 602/542-3931. Requests should be made as early as possible to
17 allow time to arrange the accommodation.

18 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-
19 105, except that all motions to intervene must be filed on or before **May 14, 2007**.

20 IT IS FURTHER ORDERED that any objections to motions to intervene must be filed on or
21 before **May 22, 2007**.

22 IT IS FURTHER ORDERED that Applicant and intervenors shall file specific
23 disagreements/comments, if any, regarding the application and Staff Report by **May 14, 2007**.

24 IT IS FURTHER ORDERED that all parties must comply with Rule 38 of the Rules of the
25 Arizona Supreme Court with respect to practice of law and admission *pro hac vice*.

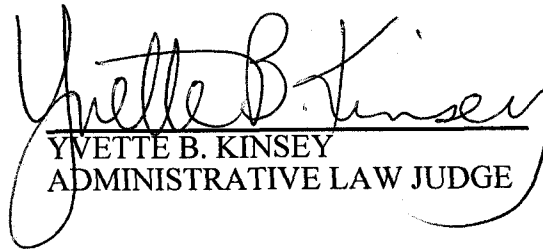
26 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
27 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
28 Rules of Arizona Supreme Court). Representation before the Commission includes to appear at all
hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled
for discussion, unless counsel has previously been granted permission to withdraw by the
Administrative Law Judge or the Commission.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
Communications) applies to this proceeding and shall remain in effect until the Commission's
Decision in this matter is final and non-appealable.

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1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 Dated this 17th day of April, 2007.

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7 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 17th day of April, 2007 to:

10 Michael Hallam
11 LEWIS AND ROCA, LLP
12 40 N. Central Ave., Suite 1900
13 Phoenix, AZ 85004
14 Attorneys for Navigator Telecommunications,
15 LLC

16 Christopher Kempley, Chief Counsel
17 Legal Division
18 ARIZONA CORPORATION COMMISSION
19 1200 West Washington Street
20 Phoenix, AZ 85007

21 Ernest G. Johnson, Director
22 Utilities Division
23 ARIZONA CORPORATION COMMISSION
24 1200 West Washington
25 Phoenix, AZ 85007

26 ARIZONA REPORTING SERVICE, INC.
27 2627 N. Third Street, Ste. Three
28 Phoenix, Arizona 85004-1126

By: 

Debra Broyles
Secretary to Yvette B. Kinsey